IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

Crl.MC.No. 217 of 2004(B)

CC.316/2002 of CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD

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PETITIONERS/ACCUSED:

1. C.V. PURUSHOTHAMAN, ADVOCATE,
   LEX NIVAS, KINASSERY P.O.,
   PALAKKAD DISTRICT-678 707.

2. C.V. NISHA KIRAN, GEM CONSULTANT,
   LEX NIVAS, KINASSERY P.O.,
   PALAKKAD DISTRICT-678 707.

BY ADV. SMT.NILA. C.V.

RESPONDENTS/COMPLAINANT & STATE:

1. SUB INSPECTOR OF POLICE,
   CHITTOOR POLICE STATION,
   CHITTOOR, PALAKKAD DISTRICT.

2. STATE OF KERALA, REP. BY THE PUBLIC
   PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.RAVINDRA BABU

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

Crl.M.C.No. 217 of 2004

ORDER

Petitioners are accused in C.C.No.316/02 on the file of the Chief Judicial Magistrate's Court, Palakkad. The prayer in this Crl.M.C. is to quash the proceedings in C.C.No.316/02 aforesaid, which has culminated in framing of Annexure-D charge.

2. Though this Crl.M.C. was filed as early as on 23.1.2004, the petitioners did not want to have this matter moved and orders obtained till now. Today also there is no representation for the petitioners. Perused the records.

3. The records furnished by the prosecution was found sufficient by the Magistrate to frame charge against the petitioners, who are the accused in the case for offence under Section 420 IPC read with Section 34 thereof. It was, therefore, that Annexure-D charge was framed against the petitioners. The final report and the records submitted there with, perused by the court below

for framing charge, are not produced by the petitioners before this Court. Prima facie, there is no ground to interfere in the proceedings, that culminated in framing of Annexure-D charge.

In the circumstances, this Crl.M.C. is devoid of any merit and is, hence, dismissed.

9th August, 2007 (K.P.Balachandran, Judge)

tkv